

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

MALIBU MEDIA, LLC,	)	
	)	
Plaintiff,	)	Civil Case No. <u>2:13-cv-12217-VAR-RSW</u>
	)	
v.	)	
	)	
GERALD SHEKOSKI,	)	
	)	
Defendant.	)	
	)	

**PLAINTIFF’S MOTION FOR EXTENSION OF TIME  
WITHIN WHICH TO SERVE EXPERT WITNESS REPORTS**

Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within which it has to serve its Expert Witness Reports on Defendant, and states:

1. Pursuant to this Scheduling Order entered on December 9, 2013 [CM/ECF 14], Plaintiff is required to disclose its expert reports on Defendant by no later than today, July 2, 2014.
2. Plaintiff served its Expert Witness List and Partial Report on Defendant today, July 2, 2014. However, Plaintiff’s expert was unable to prepare his report because Defendant has yet to produce his hard drive in response to Plaintiff’s initial discovery requests, which were propounded on November 21, 2014.
3. Defendant has objected to produce his hard drive to Plaintiff, and as such, Plaintiff is currently preparing a Motion to Compel Defendant’s hard drive.
4. Further, today, Defendant filed a Motion for Protective Order [CM/ECF 17], the subject of which is production of Defendant’s hard drives.

5. After resolution of the foregoing motions and upon receipt of the hard drives, Plaintiff will have its forensic expert perform an examination of Defendant's hard drives and report his findings.

6. As such, Plaintiff requires an extension of at least ninety (90) days within which its expert may review any information produced by Defendant and complete his report.

7. This request is made in good faith and not made for the purpose of undue delay.

8. Undersigned attempted to confer with counsel for Defendant regarding the relief requested herein, but counsel would not stipulate to the relief sought in this motion.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve its expert reports on Defendant be extended by ninety (90) days from the date this Court's grants the instant motion. A proposed order is attached for the Court's convenience.

Dated: July 2, 2014

Respectfully submitted,

NICOLETTI LAW, PLC

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 2, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Paul J. Nicoletti